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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

In the Matter of:

Amendment of Section 90.239 of the Commission's Rules to Adopt Permanent Regulations for Automatic Vehicle Monitoring Systems	}	PR Docket No. 93-61 RM-8013

COMMENTS OF GAMBATTE DIGITAL WIRELESS

Gambatte Digital Wireless hereby submits these comments in response to the FCC's Notice of Proposed Rulemaking in the above captioned proceeding which proposes extensive changes to the interim rules governing Automatic Vehicle Monitoring systems.

Gambatte is a developer and manufacturer of digital wireless products and systems for data communications, telephony, and telemetry. We have developed a number of products that are certified under the spread spectrum provisions of Part 15, and have considerable experience with the performance characteristics of products operating in the 902-928 MHz band.

I could launch into a long diatribe about the nascent Part 15 spread spectrum industry, the number of jobs it has created, and the adverse impact that the proposed changes could have on it, but I will not. I hope the Commission appreciates my restraint. You never promised us exclusive use of the bands we operate in. I also recognize that spread spectrum guys commenting on this proceeding is a little like the fox watching the hen house, but I think the Commission should give this issue very serious consideration.

In every new product or system that we consider, we put considerable effort into finding a proper and complementary fit between the application, a frequency band, and an appropriate radio technology. For every spread spectrum system we develop, we first determine whether the application is appropriate for operation under Part 15 spread spectrum rules. There are technical as well as ethical considerations. Some applications are appropriate; others are not. For example, a cordless telephone that uses a small portion of the available band is probably an appropriate application. It will probably be very reliable. A wireless PBX that requires the entire band and cannot tolerate interference is probably inappropriate application. It may not be reliable.

There are over 130 certified Part 15 spread spectrum products on the market today (Figure 1). A vast majority of them operating in the 902-928 MHz band, and contrary to some reports, there is no significant migration to higher frequencies, nor is any anticipated. RF Component costs in the 900 MHz range are much lower than for higher bands. There are countless Part 18 systems (microwave hyperthermia equipment, ovens and other ISM gear) and ham radio repeaters all operating in this band. In the radio industry, 902-928 MHz

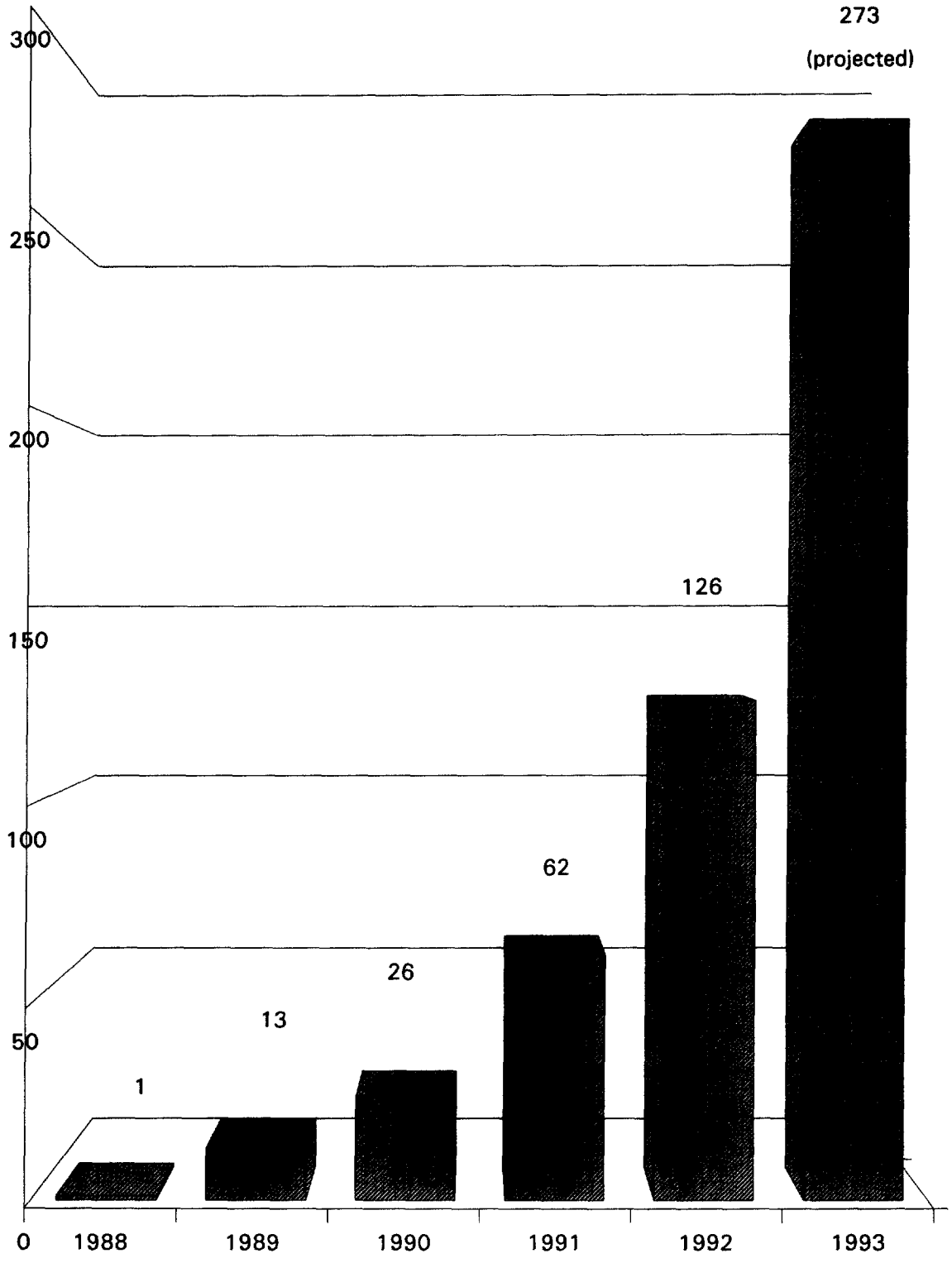

Figure 1

Cumulative # of FCC-Certified Part 15 Spread Spectrum Devices